

AMENDATORY SECTION (Amending WSR 09-14-035, filed 6/24/09, effective 7/25/09)

WAC 314-64-08001 Procedures for providing spirit samples to authorized retail licensees for the purpose of negotiating a sale.

A distiller, craft distiller, spirits distributor, spirits certificate of approval holder, spirits importer, or their agent may, for the purpose of product promotion, provide without charge single samples to retail licensees authorized to sell spirits and their employees.

(1) Samples are limited to 750 ml and no more than one sample of each product may be provided to any one licensed business.

~~(2) ((All spirit samples must be purchased at retail from the board from existing stocks or by special order.~~

~~(3))~~ Only products not purchased by the retail licensee within the last twelve months from the distiller or their agent or existing products with a change in alcohol proof or formula may be sampled. If there is a complete change of ownership of the retail licensee to another entity, the former retail licensee's purchase of the product is not deemed a purchase made by the successor retail licensee for purposes of this provision.

~~((4))~~ (3) Both the retailer and distiller, craft distiller, spirits certificate of approval holder, spirits distributor, and spirits importer must retain records of sampling for a period of ~~((two))~~ three years. The records shall include the brand and type of sample and the date of sampling.

~~((5))~~ (4) If the distiller, craft distiller, spirits certificate of approval holder, spirits distributor, and spirits importer keeps records within an automated data processing (ADP) system, the system must include a method for producing legible records that will provide the required information. The ADP system is acceptable if it complies with the following guidelines:

(a) Provides an audit trail so that details (invoices) underlying the summary account data may be identified and made available upon request.

(b) Provides the opportunity to trace any transaction back to the original source or forward to a final total. If printouts of transactions are not made when they are processed, the system must have the ability to reconstruct these transactions.

(c) Has available a full description of the ADP portion of the accounting system. This should show the applications being performed, the procedures employed in each application, and the controls used to ensure accurate and reliable processing.

~~((6))~~ (5) The provisions contained in subsection (4) of this section do not eliminate the requirement to maintain source documents, but they do allow the source documents to be maintained in some other location.

REPEALER

The following sections of the Washington Administrative Code are repealed:

WAC 314-64-010	Purpose.
WAC 314-64-020	Definitions.
WAC 314-64-040	Procedures for board samples.
WAC 314-64-050	Accounting for board samples.